



Honorable Linda B. Riegle
United States Bankruptcy Judge



Entered on Docket
June 05, 2012

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Stipulated Order Approving Compromise
Settlement of Rosalie Morgan Proof of
Claim**

**Settlement Conference: June 11, 2012
Time: 9:00 am.**

**Status Conference: July 17, 2012
Time 10:00 a.m.**

The Stipulated Motion for Approval of Compromise Settlement of Proof of Claim of Rosalie Morgan [DE 9818] ("Stipulated Motion") to settle Proof of Claim No. 10725-01512 filed by Rosalie Morgan ("Ms. Morgan") came before the Court for consideration. No notice being necessary and good cause appearing,

IT IS ORDERED:

- Granting the Stipulated Motion;
- Ms. Morgan's response to the Binford Developers Objection [DE 8855] is deemed withdrawn and the objection is deemed sustained in accordance with

these terms. The Second Omnibus Objection of USACM Trust to Proof of Claim Based Entirely Upon Investment in the Binford Medical Developers Loan [DE 8855] shall be sustained as it relates to Proof of claim No. 10725-01512 in the amount of \$126,910.00;

- Proof of claim No. 10725-01512 shall be allowed in the amount of \$19,036.50, and the remainder of the claim (\$107,873.50) is disallowed;
- Based on the allowed portion of the claim, Ms. Morgan shall immediately receive the first distribution of \$936.59 (4.92%), and the second distribution of \$738.61 (3.88%) and will share in any future distributions based upon her allowed claim in the amount of \$19,036.50;
- All other funds reserved for Ms. Morgan's Claim shall be released from the Disputed Claims Reserve and made available to the Trust for whatever purpose is appropriate in the administration of the Trust; and
- Ms. Morgan will share in future distributions pro rata based upon the amount of the allowed claim: \$19,036.50;
- Parties shall bear their own fees and costs;
- This order will supersede any preceeding orders from this Court that could be considered to conflict with this order; and
- The Settlement Conference scheduled for June 11, 2012 at 9:00 a.m. before the Honorable Gregg W. Zive and the Status Conference scheduled for July 17, 2012 at 10:00 a.m. are hereby vacated.

**AGREED, AND APPROVED AS
TO FORM AND CONTENT:**

/s/ Rosalie Morgan
Rosalie Morgan
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1 PREPARED AND RESPECTFULLY SUBMITTED BY:

2 **LEWIS AND ROCA LLP**

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4 By /s/ John Hinderaker (AZ 018024)

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